

10/593089

PATENT

ATTORNEY DOCKET NO. 47038-0247-00-US

APPROVED FOR PTO 15 SEP 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kristina ALLEN et al.

Application No.: NEW

Filed: September 15, 2006

For: METHOD OF SYNTHESIZING AND
 PURIFYING DKK PROTEINS AND DKK
 PROTEINS OBTAINED THEREBY

Confirmation No.: Unassigned

Group Art Unit: Unassigned

Examiner: Unassigned

Commissioner for Patents
 U.S. Patent and Trademark Office

Customer Window Mail Stop: ☒ New Application ☐ Amendment ☐ AF ☐ Issue Fee
 Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT (IDS)

☒ **Under 37 C.F.R. § 1.97(b)**: Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c)**: Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d)**: Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(i):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(d). Applicant requests that the IDS be placed in the file.

☒ A search report or other listing of documents from a counterpart, related, or other application dated October 12, 2005 and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

☒ Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

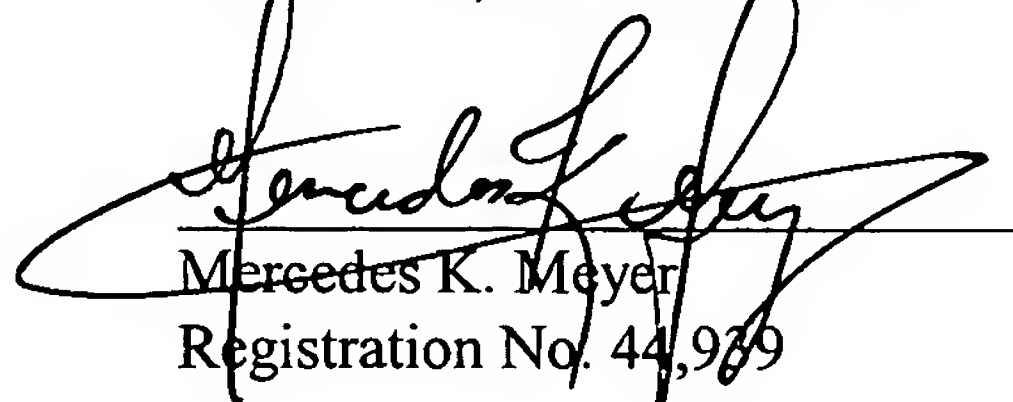
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP


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Dated: September 15, 2006

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INFORMATION DISCLOSURE CITATION				Attorney Docket No.: 47038-0247-00-US		Serial No.: NEW 10/593089	
(Use several sheets if necessary)				Applicants Kristina ALLEN et al.		Page 1 of 1	
PTO Form 1449				Filing Date: September 15, 2006		Group Art Unit: Unassigned	
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
		6,844,422 B1	Jan. 18, 2005	NIEHRS et al.	530	350	Oct. 22, 1998
		6,344,541 B1	Feb. 5, 2002	BASS et al.	530	324	Sept. 25, 1998
		6,962,797	Nov. 8, 2005	GODDARD et al.	435	69.1	Oct. 24, 2001
		7,057,017	Jun. 6, 2006	MCCARTHY	530	350	Oct. 4, 2001
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO
		99/46281	Sept. 16, 1999	WO			
		98/46755	Oct. 22, 1998	WO			
		02/066509	Aug. 29, 2002	WO			
OTHER DOCUMENTS							
(Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)							
		Shou JIANG et al. "Human Dkk-1, a gene encoding a Wnt antagonist, responds to DNA damage and its overexpression sensitizes brain tumor cells to apoptosis following alkylation damage of DNA." <u>ONCOGENE</u> , Vol. 21, No. 6, January 31, 2002, pp. 878-889.					
		GLINKA et al. "Dickkopf-1 is a member of a new family of secreted proteins and function in head induction." <u>NATURE</u> , Vol. 391, No. 6665, January 22, 1998, pp. 357-362.					
		FEDI et al. "Isolation and Biochemical Characterization of the Human Dkk-1 Homologue, a Novel Inhibitor of Mammalian Wnt Signaling." <u>The Journal of Biological Chemistry</u> , Vol. 274, No. 27, July 2, 1999, pp. 19465-19472.					
Examiner					Date Considered		
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							